

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	: CASE NO: 18-53066-JWC
	: CHAPTER: 13
	:
BRENT CHARLES WILLIAMS	:
Debtor	:
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PENNYMAC LOAN SERVICES, LLC,	:
Movant,	:
	: CONTESTED MATTER
vs.	:
	:
BRENT CHARLES WILLIAMS	:
NANCY J. WHALEY, Trustee	:
Respondents.	:

MOTION FOR RELIEF FROM AUTOMATIC STAY
PURSUANT TO CONSENT ORDER

Comes now PennyMac Loan Services, LLC, its successors or assigns, a secured creditor of the above-named Debtor, and respectfully shows the Court as follows:

1.

PennyMac Loan Services, LLC its successors or assigns, hereinafter known as "Movant", petitions the Court to lift the Automatic Stay as provided for in 11 U.S.C. §362 pursuant to a Consent Order entered on September 5, 2018 by this Court on a Motion for Relief from Automatic Stay filed by Movant on July 20, 2018.

2.

Movant asserts that Respondent has breached the terms of said Consent Order and therefore Movant is entitled to relief from the Automatic Stay.

3.

Movant brings this Motion supported by an Affidavit of Default defining the specific details of the delinquency (Exhibit "A") and a copy of the issued Notice of Default (Exhibit "B").

WHEREFORE MOVANT PRAYS:

(a) That the Automatic Stay entered by this Honorable Court pursuant to 11 U.S.C. §362 be modified so as to permit the Movant to exercise its right to foreclose its secured property

under the terms of its Note and Security Instrument including, but not limited to allowing Movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to foreclose upon and obtain possession of the Property. All communications sent by Secured Creditor in connection with proceeding against the property including notices required by state law may be sent directly to Debtor.

- (b) That the Order lifting the stay waive the fourteen day stay provision as prescribed by Bankruptcy Rule 4001(a)(3); and
- (c) For such other and further relief as this Court deems just and proper.

RUBIN LUBLIN, LLC

/s/ Lisa F. Caplan

Lisa F. Caplan

GA State Bar No. 001304

Rubin Lublin, LLC

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Attorney for Creditor

CERTIFICATE OF SERVICE

I, Lisa F. Caplan of Rubin Lublin, LLC certify that on the 1st day of March, 2019, I caused a copy of the Motion for Relief Pursuant to Consent Order, Affidavit of Default under Consent Order, and Proposed Order Modifying Stay to be filed in this proceeding by electronic means and to be served by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to the said parties as follows:

Brent Charles Williams
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Howard P. Slomka, Esq.
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/s/ Lisa F. Caplan
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Executed on: 3/1/19